

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	)	
	)	
or Suspension of the Educator	)	<b>ORDER OF SUSPENSION</b>
	)	<b>(BREACH OF CONTRACT)</b>
Certificate of Donna P. Woodall	)	
	)	
Certificate 216782	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on January 11, 2005. On November 22, 2004, the Office of Teacher Certification sent Donna P. Woodall a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educator certificate by certified mail, return receipt requested, delivery restricted to addressee. Ms. Woodall received the notice, as evidenced by the signed postal receipt bearing her signature. Ms. Woodall did not request a hearing during the period specified by the notice letter. After considering the evidence presented, the State Board voted to suspend Ms. Woodall's certificate for one year.

**FINDINGS OF FACT**

Ms. Woodall held a contract for the 2004-2005 school year with the Fairfield County School District. On October 8, 2004, Ms. Woodall notified her principal at Kelly Miller Elementary School that she intended to resign from her position, effective that day. By letters of October 11, 15 and 19, 2004, the District's Assistant Superintendent wrote to Ms. Woodall advising her that her resignation could not be accepted until a suitable replacement was found, that she was to continue in her assignment until that time, and that she was in breach of her contract for failing to return to her duties. On November 9, 2004, the District Board of Trustees voted to request that the State Board suspend Ms. Woodall's certificate.

### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient evidence supporting its conclusion that Ms. Woodall breached her contract with the Fairfield County School District, warranting the suspension of Ms. Woodall's certificate 216782 for a period of one year, from January 11, 2005, through January 12, 2006. Should Ms. Woodall wish to have her certificate reinstated at the end of the suspension period, she may make a written request for reinstatement to the Office of Teacher Certification.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester, Chair

Columbia, South Carolina

January 11, 2005